



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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IN REPLY PLEASE
REFER TO FILE

May 16, 2023

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**WATER RESOURCES CORE SERVICE AREA
GRANT OF EASEMENTS
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
AND RENTAL AGREEMENT NO. 23-29 BETWEEN
THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AND THE LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY
LAGUNA DOMINGUEZ FLOOD CONTROL SYSTEM–DOMINGUEZ CHANNEL
PARCELS 40, 147, 31, 78, 154, 155, 156, AND 157
IN THE CITY OF HAWTHORNE
(SUPERVISORIAL DISTRICT 2)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to grant easements for public highway, road, and park and ride parking lot purposes to the State of California Department of Transportation and to enter into Rental Agreement No. 23-29 between the Los Angeles County Flood Control District and the Los Angeles County Metropolitan Transportation Authority for temporary ingress and egress rights and construction staging area purposes for the construction of the I-105 Express Lanes Project related to Laguna Dominguez Flood Control System–Dominguez Channel, in the City of Hawthorne.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Acting as a responsible agency for the I-105 Express Lanes Project, consider the Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact

prepared and certified by the State of California Department of Transportation as the lead agency for the project; certify that the Board of Supervisors has independently reviewed and considered the information contained in the Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact and reached its own conclusions regarding the environmental effects of the County's approvals related to the project as shown in the Environmental Impact Report; adopt the Environmental Commitment Record, acting as a mitigation monitoring program as applicable, finding that it is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific considerations of the project as outlined in the Environmental Findings of Fact, which findings are adopted and incorporated herein by reference as applicable.

2. Find that the grant of easements for public highway, road, and park and ride parking lot purposes in Parcels 40 and 147 and rental agreement for temporary ingress and egress rights and construction staging area purposes in Parcels 31, 40, 78, 154, 155, 156, and 157 related to Laguna Dominguez Flood Control System–Dominguez Channel, in the City of Hawthorne, and the subsequent use of the Los Angeles County Flood Control District's property will not interfere with the use of the affected parcels for any purposes of the Los Angeles County Flood Control District.

3. Approve the grant of easements to the State of California Department of Transportation for public highway, road, and park and ride parking lot purposes and Rental Agreement No. 23-29 for temporary ingress and egress rights and construction staging area purposes between the Los Angeles County Flood Control District and the Los Angeles County Metropolitan Transportation Authority.

4. Delegate authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute the Easement Deed Highway documents and authorize delivery to the State of California Department of Transportation and to execute Rental Agreement No. 23-29 and authorize delivery to the Los Angeles County Metropolitan Transportation Authority.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The recommended actions comply with the California Environmental Quality Act for a responsible agency and allow the Los Angeles County Flood Control District to grant easements for public highway, road, and park and ride parking lot purposes to the State of California Department of Transportation in Parcels 40 and 147 related to Laguna Dominguez Flood Control System–Dominguez Channel, in the City of Hawthorne, as shown on the enclosed map (Enclosure A). These actions will also allow the District to enter into Rental Agreement No. 23-29 with the Los Angeles County Metropolitan Transportation Authority for temporary ingress and egress rights and construction staging area purposes in Parcels 31, 40, 78, 154, 155, 156, and 157 related to Dominguez Channel, in the City of Hawthorne, as shown on the enclosed map (Enclosure B).

In 1987 Caltrans obtained an Order of Immediate Possession against the District to commence construction of the I-105 Freeway over Dominguez Channel. The District agreed to the compensation offered for the grant of easements; however, Caltrans never completed its acquisition of the permanent easement rights. Metro, in cooperation with Caltrans, is managing and funding the I-105 Express Lanes Project and discovered that Caltrans did not have the necessary easement rights for those portions of the I-105 Freeway over Dominguez Channel. The easements and Rental Agreement No. 23-29 are required for the construction of Metro's I-105 Express Lanes Project, which is anticipated to begin in the fall of 2023.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability, because revenues received from these transactions will help promote fiscal responsibility by providing accessible funds for the District's programs. The recommended actions will allow Metro to construct the I-105 Express Lanes Project, thereby improving transportation efficiency and promoting sound, prudent, and transparent policies and practices while preserving the quality of life for County residents.

FISCAL IMPACT/FINANCING

There will be no significant impact to the County General Fund. The District will receive \$1,500, which is based on the compensation offered to and accepted by the District in 1987 plus interest from the date of possession to the date of recording for the grant of easements and a minimum of \$405,000 for Rental Agreement No. 23-29 with the final amount of compensation to be determined once the appraisal is completed. These amounts will be deposited into the County General Fund (B07, Revenue Source 9906-Sale of Capital Assets-Easements and 8631-Rent and Concessions).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed grant of easements and Rental Agreement No. 23-29 are authorized by Section 2, Subsection 13, of the Los Angeles County Flood Control Act. This section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body corporate and politic and has all the following powers... 13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the board of supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district..."

These actions are not considered adverse to the District's purposes and will not hinder the use of the Dominguez Channel for possible transportation, utility, recreational corridors, or flood control purposes. Moreover, the Easement Deed Highway documents reserve paramount rights to use the parcels for the District's purposes.

The Easement Deed Highway documents will be approved by County Counsel as to form prior to execution and they will be recorded.

ENVIRONMENTAL DOCUMENTATION

The District is acting as a responsible agency for the I-105 Express Lanes Project. Caltrans, as the lead agency, has prepared an Initial Study, consulted with the County, and certified a joint California Environmental Quality Act/National Environmental Policy Act Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact for the I-105 Express Lanes Project on May 21, 2021. The District is a responsible agency for this project because it is granting easements for the use of its property.

The location of the documents and other materials constituting the record of the proceedings upon which the Board of Supervisors' decision is based in this matter is at Public Works, 900 South Fremont Avenue, 10th Floor, Alhambra, California 91803. The custodian of such documents and materials is Survey/Mapping & Property Management Division, Real Estate Section, and they are also available at the following Public Works' website:

<https://pw.lacounty.gov/go/I-105Freeway>

Upon the Board's approval of the recommended actions, the District will file a Notice of Determination with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will allow for the joint use of the District's right of way without interfering with the primary mission of the District. This action will have no significant impact on other County services or projects.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Survey/Mapping & Property Management Division.

Respectfully submitted,



MARK PESTRELLA, PE
Director

MP:GE:db

Enclosures

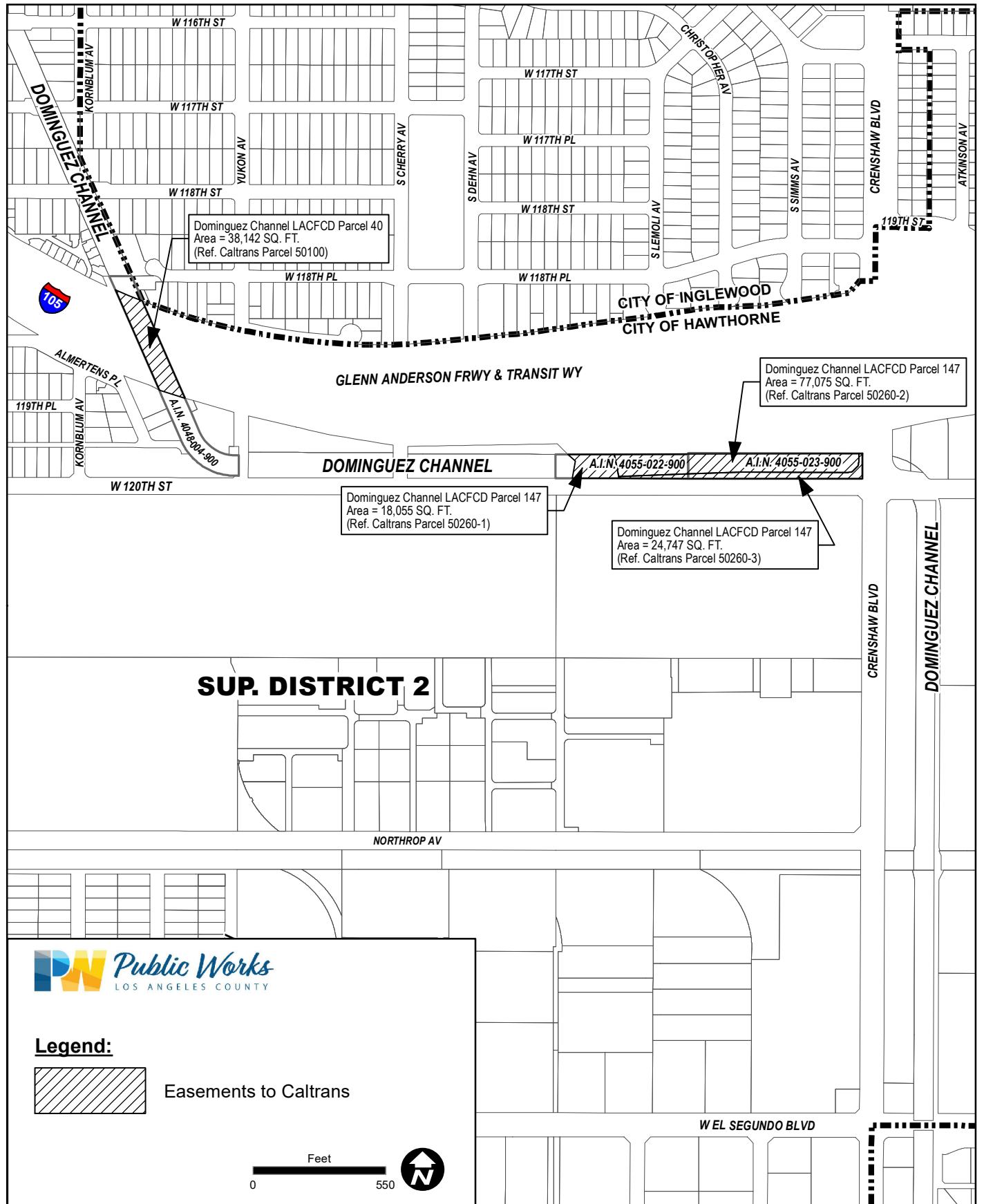
c: Auditor-Controller (Accounting Division—Asset
Management)
Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office

Enclosure A

LAGUNA DOMINGUEZ FLOOD CONTROL SYSTEM

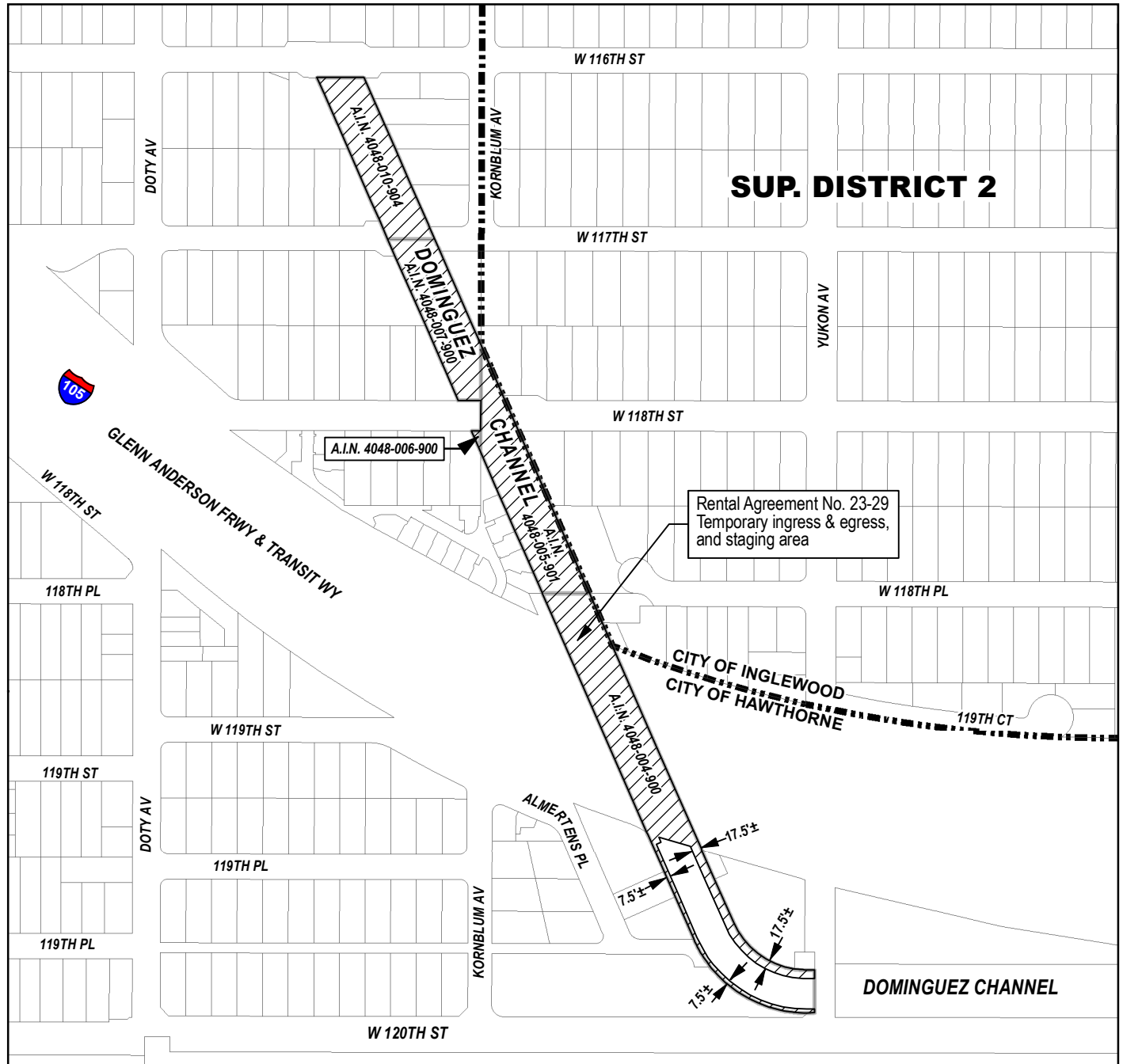
DOMINGUEZ CHANNEL

CITY OF HAWTHORNE



Enclosure B

LAGUNA DOMINGUEZ FLOOD CONTROL SYSTEM DOMINGUEZ CHANNEL CITY OF HAWTHORNE



Legend:



Temporary ingress & egress,
and staging area

EXHIBIT A

RENTAL AGREEMENT NO. 23-29

LAGUNA DOMINGUEZ FLOOD CONTROL SYSTEM
DOMINGUEZ CHANNEL PARCELS 31, 40, 78, 154,
155, 156, & 157
RIGHT OF WAY MAP NO. 28-RW 10.1
A.I.N. 4048-004-900, 4048-005-901, 4048-006-900,
4048-007-900, & 4048-010-904
SUPERVISORIAL DISTRICT 2
PCA M2323003